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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**  
Docket No.: ROC920030134US1

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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PROGRAM-LEVEL PERFORMANCE TUNING**

the specification of which (check one)

is attached hereto.

was filed on \_\_\_\_\_

as Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed
<input type="checkbox"/> (NONE) _____ (Number) _____	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (Country) _____ (Day/Month/Year Filed) _____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(NONE) \_\_\_\_\_  
(Application Serial No.) (Filing Date) (Status) (Patented, Pending, Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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**POWER OF ATTORNEY:** As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(List name and registration number)

William J. McGinnis - 25,698	Robert R. Williams - 48,395
James R. Nock - 42,937	John E. Hoel - 26,279
Steven W. Roth - 34,712	Christopher A. Hughes - 26,914
Leslie J. Payne - 26,378	Stanley B. Green - 24,351
Grant A. Johnson - 42,696	Joseph C. Redmond, Jr. - 18,753
Owen J. Gamon - 36,143	

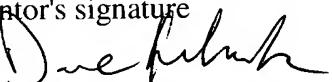
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Full name of sole or first Inventor

David Gerald Herbeck  
Inventor's signature  


Date



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Full name of second Inventor

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David E. Hubka

Date

9-4/2003

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Full name of third Inventor

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Mark Donald Masbruch

Date

9-3-03

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Full name of fourth Inventor

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Mark Anthony Perkins

Date

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## Full name of fifth Inventor

Joseph Harold Peterson

## Inventor's signature



## Date

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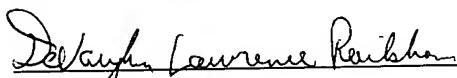
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## Full name of sixth Inventor

DeVaughn Lawrence Rackham

## Inventor's signature



## Date

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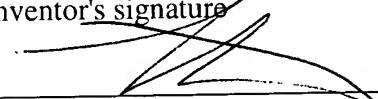
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## Full name of seventh Inventor

Richard Michael Smith

## Inventor's signature



## Date

9/18/03

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